

AMENDED IN ASSEMBLY APRIL 4, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1160**

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**Introduced by Assembly Member Hill**

February 18, 2011

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~~An act relating to energy.~~ *An act to amend Section 1798.90.1 of the Civil Code, relating to personal information.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1160, as amended, Hill. ~~Energy: renewable energy.~~ *Personal information.*

(1) *Existing law permits a business to swipe a driver's license or identification card issued by the Department of Motor Vehicles in any electronic device for specified purposes, including to verify age. Existing law prohibits a business from retaining or using any of the information obtained by that electronic means for any purpose other than those that are permitted. Existing law makes a violation of these provisions a misdemeanor.*

*This bill would prohibit a purchaser of alcoholic beverages from being required to produce his or her driver's license or identification card for the purpose of verifying age if the purchaser reasonably appears to be 40 years of age or older. By expanding the definition of a crime, this bill would impose a state-mandated local program.*

(2) *The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that no reimbursement is required by this act for a specified reason.*

~~Under existing law, the Public Utilities Commission adopted the California Solar Initiative program that provides ratepayer-funded incentives for eligible solar energy systems.~~

~~This bill would state the intent of the Legislature to enact legislation that would create a performance-based incentive program that rewards California-based solar companies producing specific levels of renewable energy.~~

~~Vote: majority. Appropriation: no. Fiscal committee: no-yes.~~  
~~State-mandated local program: no-yes.~~

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 1798.90.1 of the Civil Code is amended  
2     to read:

3     1798.90.1. (a) (1) Any business may swipe a driver's license  
4     or identification card issued by the Department of Motor Vehicles  
5     in any electronic device for the following purposes:

6     (A) To verify age or the authenticity of the driver's license or  
7     identification card. *A purchaser of alcoholic beverages shall not*  
8     *be required to produce his or her driver's license or identification*  
9     *card for the purpose of verifying age if the purchaser reasonably*  
10    *appears to be 40 years of age or older.*

11    (B) To comply with a legal requirement to record, retain, or  
12    transmit that information.

13    (C) To transmit information to a check service company for the  
14    purpose of approving negotiable instruments, electronic funds  
15    transfers, or similar methods of payments, provided that only the  
16    name and identification number from the license or the card may  
17    be used or retained by the check service company.

18    (D) To collect or disclose personal information that is required  
19    for reporting, investigating, or preventing fraud, abuse, or material  
20    misrepresentation.

21    (2) A business may not retain or use any of the information  
22    obtained by that electronic means for any purpose other than as  
23    provided herein.

24    (b) As used in this section, "business" means a proprietorship,  
25    partnership, corporation, or any other form of commercial  
26    enterprise.

27    (c) A violation of this section constitutes a misdemeanor  
28    punishable by imprisonment in a county jail for no more than one

1 year, or by a fine of no more than ten thousand dollars (\$10,000),  
2 or by both.

3 *SEC. 2. No reimbursement is required by this act pursuant to*  
4 *Section 6 of Article XIII B of the California Constitution because*  
5 *the only costs that may be incurred by a local agency or school*  
6 *district will be incurred because this act creates a new crime or*  
7 *infraction, eliminates a crime or infraction, or changes the penalty*  
8 *for a crime or infraction, within the meaning of Section 17556 of*  
9 *the Government Code, or changes the definition of a crime within*  
10 *the meaning of Section 6 of Article XIII B of the California*  
11 *Constitution.*

12 ~~SECTION 1. The Legislature finds and declares all of the~~  
13 ~~following:~~

14 ~~(a) The State of California is a world leader in efforts to reduce~~  
15 ~~global warming and greenhouse gas emissions; increase renewable~~  
16 ~~energy production; promote energy efficiency, energy conservation,~~  
17 ~~clean air, and emission controls; expend the use of low-carbon,~~  
18 ~~alternative fuels; and promote and commercialize new technologies~~  
19 ~~and industries.~~

20 ~~(b) The California Renewables Portfolio Standard Program~~  
21 ~~(Article 16 (commencing with Section 399.11) of Chapter 2.3 of~~  
22 ~~Part 1 of Division 1 of the Public Utilities Code) requires~~  
23 ~~California's retail sellers of electricity to serve 20 percent of their~~  
24 ~~load with renewable energy by 2010.~~

25 ~~(c) California leads the nation with 76,442 solar projects creating~~  
26 ~~776 megawatts of electricity.~~

27 ~~(d) California's high standards and ambitious goals have resulted~~  
28 ~~in California leading the nation in renewable energy innovation,~~  
29 ~~receiving more investment funding in clean technology than~~  
30 ~~anywhere else in the United States, and accounting for 44 percent~~  
31 ~~of all patents issued by the United States Patent and Trademark~~  
32 ~~Office in solar technologies.~~

33 ~~(e) Producing electricity from renewable resources provides~~  
34 ~~multiple and significant benefits to California's environment and~~  
35 ~~economy, including improving local air quality and reducing global~~  
36 ~~warming pollution, diversifying energy supply, improving energy~~  
37 ~~security, enhancing economic development, and creating jobs.~~

38 ~~(f) California has the best renewable energy resource areas in~~  
39 ~~the world, providing immense potential for clean, valuable~~

1 ~~electricity generation in the state, and the development of these~~  
2 ~~resources should be rewarded.~~  
3 ~~SEC. 2. It is the intent of the Legislature to enact legislation~~  
4 ~~that would create a performance-based incentive program that~~  
5 ~~rewards California-based solar companies that produce specific~~  
6 ~~levels of renewable energy on an annual basis.~~

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